



JUN 15 2005



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

*Handwritten signature*

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

15

Application Number

10/677,295

Filing Date

October 3, 2003

First Named Inventor

Donnie Gross

Art Unit

2611

Examiner Name

TBD

Attorney Docket Number

24707.0002

## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Reply to Missing Parts/  
Incomplete Application

☐ Reply to Missing Parts  
under 37 CFR 1.52 or 1.53

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a  
Provisional Application

☐ Power of Attorney, Revocation  
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

☐ After Allowance Communication to TC

☐ Appeal Communication to Board  
of Appeals and Interferences

☐ Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s)  
(please identify below):

PTO form 1449 listing 7 references

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm

Swidler Berlin LLP  
3000 K Street, N.W., Suite 300  
Washington, D.C. 20007

Signature

Printed Name

Chadwick A. Jackson

Date

June 15, 2005

Reg.  
No.

46,495

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Donnie Gross

Application No. 10/677,295

Filed: October 3, 2003

:  
:  
:  
:  
:  
:  
:

Art Unit: 2611

Examiner: TBD

For: ELECTRONIC MONITORING OF ACTIVITIES PERFORMED AT A CABLE  
TELEVISION TAP

**INFORMATION DISCLOSURE STATEMENT**

Box IDS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

For insuring compliance with the applicant's duty of disclosure under 37 CFR § 1.56, the undersigned hereby submits the documents listed on the attached Form PTO-1449 for consideration by the Examiner in charge of the above-identified patent application.

☐ U.S. patent applications which the applicant considers to be related to the above-identified application are as follows:

☐ A concise explanation of the relevance of the non-English language references is attached:

☐ The relevance of the references is indicated on the enclosed copy of the Search Report for the priority application.

These documents are being submitted (check only one of the next four boxes):

- ☐ within three months of the filing of the above U.S. national application or of the date of entry of the U.S. national stage in an International Patent Application (no fee is due);
- ☒ before receiving a first Office Action on the merits of the above-identified patent application; or before receiving a first Office Action after filing of a Request for Continued Examination (no fee is due);
- ☐ following receipt of a first Office Action, but before issuance of a Final Office Action or a Notice of Allowance (if this box is checked, one of the last three boxes also must be checked);

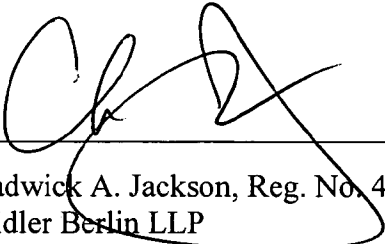
OR

- ☐ following receipt of a Notice of Allowance or a Final Office Action (if this box is checked, the next box and one of the last two boxes also must be checked).
- ☐ The Commissioner is hereby authorized to charge Deposit Account 19-5127, in the amount of \$180.00 for payment of the fee set forth in 37 CFR § 1.17(p).
- ☐ The undersigned certifies that each item of this information is being submitted within three months of the date it was cited by a foreign patent office in a counterpart application.
- ☐ The undersigned certifies that, after making reasonable inquiry, he/she has no knowledge that any item of this information was cited by a foreign patent office in a counterpart application or was known more than three months prior to this submission.

The Commissioner is hereby authorized to charge payment of any deficiency in the above fee(s) or to charge any additional fees required under 37 CFR § 1.16 or 1.17 or credit any overpayment to Deposit Account No. 19-5127.

Respectfully submitted,

Date: June 15, 2005

  
\_\_\_\_\_  
Chadwick A. Jackson, Reg. No. 46,495  
Swidler Berlin LLP  
3000 K Street, N.W., Suite 300  
Washington, D.C. 20007-5116  
Telephone: 202 424-7500  
Facsimile: 202 295-8478

## FORM PTO-1449

Attorney Docket:

Application No.:

24707.0002

10/677,295

**INFORMATION DISCLOSURE CITATION**

Applicants:

Examiner:

Donnie Gross

Filing Date:

Group Art Unit:

October 3, 2003

2611

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	REF. NO.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS
/S.S./	AA	6,463,588 B1	Oct. 8, 2002	Jenkins et al.		
/S.S./	AB	6,130,703	Oct. 10, 2000	Spriester et al.		
/S.S./	AC	6,393,607 B1	May 21, 2002	Hughes et al.		
/S.S./	AD	6,473,285 B1	Oct. 29, 2002	Schlenz et al.		
	AE					
	AF					

**FOREIGN PATENT DOCUMENTS**

	REF. NO.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION
	CA						
	CB						
	CC						
	CD						
	CE						
	CF						
	CG						
	CH						
	CI						
	CJ						

**OTHER REFERENCES**

	REF. NO.	AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.
/S.S./	CK	"Common Applications"; The Association for Automatic Identification and Data Capture Technologies; <a href="http://www.aimglobal.org/common_applications_rfid.asp">http://www.aimglobal.org/common_applications_rfid.asp</a>
/S.S./	CL	"RFID TAGS; BIG BROTHER IN SMALL PACKAGES"; By Delan McCullagh; January 13, 20003; <a href="http://news.com.com/2010-1069-980325.html">http://news.com.com/2010-1069-980325.html</a>
/S.S./	CM	"Wireless, Embedded Devices Find Common Ground in Mesh Network"; by Cliff Bowman, Software Engineer, Ember Corp., Boston, Mass; <i>EE Times</i> ; April 18, 2003; <a href="http://www.eetimes.com/story/OEG20030418S0027">http://www.eetimes.com/story/OEG20030418S0027</a>
	CN	
	CO	
	CP	
	CQ	
	CR	
	CS	
	CT	
	CU	
	CV	
	CW	
	CX	
	CY	
	CZ	

Examiner /Sari Sawaged/ (01/16/2008)

Date Considered

Examiner: Initial if reference consider, whether or not citation is in conformance with MPEP §609.

Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to Application

